



Entered on Docket  
December 14, 2010

  
Hon. Gregg W. Zive  
United States Bankruptcy Judge

LAURY MACAULEY, ESQ. NV Bar No. 11413  
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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

ART PICCADILLY AIRPORT, LLC,

ART PICCADILLY CHATEAU, LLC; and

ART PICCADILLY SHAW, LLC

Debtor.

FAR EAST NATIONAL BANK, N.A.

Plaintiff,

vs.

AMERICAN REALTY INVESTORS, INC.,

Defendant.

Bankr. E.D. Tex. Case Nos.  
10-42374-BTR-11  
(lead case for joint administration)

10-42376-BTR-11

10-42376-BTR-11

Bankr. D. Nev. Case No. 10-99999-8  
Adversary No. 10-05095-GWZ  
[Case No. CV10-02718, Dept. B7  
(Flanagan, J.) Second Judicial District  
Court for Washoe County, Nevada]

**ORDER GRANTING IN PART AND  
DENYING IN PART MOTION FOR  
REMAND OR ABSTENTION AND  
DENYING MOTION TO TRANSFER  
VENUE**

**Hrg Date: 11/29/2010**

**Hrg Time: 2:00 p.m.**

1 Far East National Bank, N.A.'s ("Far East") Motion for Remand or Abstention and  
2 American Realty Investors, Inc.'s ("ARI") Motion for Transfer of Venue, having come on for  
3 hearing on November 29, 2010 at 2:00 p.m., Paul A. Matteoni, Esq. and Jasmine K. Mehta, Esq.  
4 appearing on behalf of Far East, and John P. Sande, IV, Esq. appearing on behalf of ARI, and all  
5 other appearances having been put on the record;

6 The Court considered both Motions and the arguments of counsel, and placed its findings  
7 of fact and conclusion of law on the record;

8 The findings of fact and conclusions of law stated on the record by the Court are hereby  
9 incorporated into this ruling; and

10 Good cause appearing,

11 IT IS HEREBY ORDERED THAT:

12 1. The Motion for Remand or Abstention is granted in part and denied in part. The  
13 request to remand is granted, and the request for abstention is denied.

14 2. The Motion for Remand having been granted, the Motion for Transfer of Venue is  
15 moot and therefore denied.

16 3. The Clerk is directed to remand and transfer the Complaint and all of its causes of  
17 action and any other documents in the file to the Second Judicial District Court in and for the  
18 County of Washoe.

19  
20 Submitted by:

21 LAURY MACAULEY, ESQ. NV Bar No. 11413

22 PAUL A. MATTEONI, ESQ., NV Bar No. 3486

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27 *Attorneys for Far East National Bank, N.A.*

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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

This Court has waived the requirement set forth in LR 9021(b)(1).

No party appeared at the hearing or filed an objection to the motion.

X I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

John P. Sande, IV  
jsandeiv@jonesvargas.com

**APPROVED/DISAPPROVED**

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

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